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Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1233 (1999), by which the Council requested me to keep it regularly informed of and to submit a report on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS). Subsequently, in paragraph 11 of its resolution 1580 (2004), the Council requested me to submit a written report to it every three months.

2. The present report focuses on developments since my last report dated 12 September 2005 (S/2005/575), in particular on the post-electoral political tensions leading to the recent change in Government in Guinea-Bissau.

II. Political developments

3. During the reporting period, the political situation in the country remained strained. The candidate of the African Party for the Independence of Guinea-Bissau and Cape Verde (PAIGC), Malam Bacai Sanhá, continued to reject the results of the July 2005 presidential elections, which had given victory to João Bernardo Vieira, despite the fact that the Supreme Court of Justice, on 26 August 2005, found that there were "insufficient judicial elements" to rule on the request of the Party that the poll results be annulled. The stalling of the inauguration of the President-elect, which was finally held on 1 October 2005, raised internal tensions further and sent worrying signals to the country's external partners.

4. Together with the leaders of the African Union, the Economic Community of West African States (ECOWAS), the Community of Portuguese-Speaking Countries and other international partners of Guinea-Bissau, I appealed to the country's leaders to resolve their differences through dialogue. On 21 September 2005, during my meeting with Prime Minister Carlos Gomes Júnior in the margins of the meetings of the sixtieth session of the General Assembly, I stressed the view that the timely organization of the inauguration of the President-elect would help restore domestic and international confidence in the political process in Guinea-Bissau,

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which, in turn, could enhance the climate for the resumption of international assistance.

5. On 1 October 2005, João Bernardo Vieira was sworn in as the new President of Guinea-Bissau, marking the formal end of the transitional period the country had been undergoing since the coup d'état of 14 September 2003. The inauguration of President Vieira and his inaugural pledge to promote national reconciliation and to ensure respect for the rule of law engendered high expectations among the people of Guinea-Bissau, anxious to see a marked improvement in their living conditions.

6. However, in the light of the deep divisions that marked the July 2005 presidential elections, the political class of Guinea-Bissau remained highly polarized, resulting in a realignment of political forces in parliament caused essentially by splits within the governing Party. The rift in PAIGC arose over support by a faction of the party for the independent electoral campaign of President Vieira and deepened further when the party leadership, headed by the former Prime Minister, Carlos Gomes Júnior, sought to maintain the sanctions applied against 14 PAIGC parliamentarians who had backed the Vieira campaign. The 14 included the first Vice-President of PAIGC, Aristides Gomes, who, along with other members of the group of 14 suspended PAIGC parliamentarians and other parties and individuals supporting President Vieira, formed the "Forum for the Convergence of Development", in an attempt to create a new majority in parliament.

7. Shortly after President Vieira took office on 1 October 2005, he and Prime Minister Carlos Gomes Júnior issued public statements of their willingness to work together, signalling to the nation and to the international community a commitment to institutional cohabitation. However, relations between them remained difficult, leading to a decision by the President, following consultations with the reinstated Council of State and with various political parties, civil society and trade union leaders, to issue a decree on 28 October 2005 dismissing the Government. Among the reasons the President cited were continuing tensions between the organs of State sovereignty which, according to him, hampered the smooth functioning of State institutions and weakened the Government's capacity to pay salaries or to survive in parliament. That decision was, however, denounced by PAIGC as "arbitrary and unconstitutional".

8. Subsequently, on 2 November 2005, President Vieira issued another decree appointing Aristides Gomes as Prime Minister, an action that prompted further adverse reaction from the PAIGC leadership who contested that decision in the Supreme Court of Justice, insisting that a Prime Minister should come from PAIGC, as the party with the majority in parliament. The Court's ruling is still awaited.

9. On 9 November 2005, President Vieira named a new Government, also by decree. The team comprised eight ministers from PAIGC, including those responsible for foreign affairs, defence, economy and fisheries, and two secretaries of state, with four of them coming from the suspended 14 PAIGC parliamentarians loyal to the President. The Party for Social Renewal (the party of former President Koumba Yalá) was given six ministries, including the Ministry of the Interior, and four secretaries of state. Two women were appointed ministers, as against seven in the last Government. Aware of the concern of the international community regarding economic and financial transparency, Prime Minister Aristides Gomes retained the Minister responsible for the economy from the last Government and pledged to continue the financial and economic reform policies of the outgoing Government

assessed positively by donors. The new Government was expected to present its programme and the 2006 budget to the regular month-long parliamentary session, which began on 21 November 2005. It should be noted that neither the supporters of President Vieira nor his opponents can possibly muster more than a slim majority in the National Assembly.

10. During the electoral process, UNOGBIS used its good offices, often in tandem with ECOWAS, to help calm tensions. Looking beyond the transitional period, and in keeping with the provisions of the comprehensive peacebuilding strategy outlined in my previous report (S/2005/575), which was supported by the Security Council when it discussed the report on 22 September 2005, UNOGBIS has focused on helping to develop self-sustaining national peacebuilding mechanisms.

11. To help strengthen national conflict prevention and management, UNOGBIS has promoted collaborative relations with local and international non-governmental organizations, including the Geneva-based War-torn Societies Project (WSP-International) and the National Institute of Studies and Research of Guinea-Bissau, which have completed a joint project proposal for a two-year research programme focusing on identifying the main sources of tension and the causes of conflict. In addition, UNOGBIS plans to organize a programme of training in conflict resolution and negotiation skills for parliamentarians, in partnership with the Dutch development organization SNV Netherlands Development Organization.

12. Members of the Security Council will recall that in my report of 12 September 2005 (S/2005/575) I outlined several proposals on the role of UNOGBIS in the consolidation of peace and stability in Guinea-Bissau in the post-transitional period.

13. President Vieira, in his letter addressed to me dated 21 November 2005, stressed that with the peaceful conclusion of the political transition and the full restoration of constitutional order, an important element of the UNOGBIS mandate had been achieved. He observed, however, that the Office still had a decisive role to play in a number of key areas for the consolidation of lasting peace and stability in Guinea-Bissau, including the reform of the security sector, the mobilization of political support and financial resources to strengthen the capacity of the organs of the State, the enhancement of political dialogue and the promotion of respect for the rule of law and human rights. The President also expressed support for the proposals I had put forward in my report to the Council in September 2005 designed to adjust the UNOGBIS mandate to focus on post-transitional challenges. Finally, the President informed me that, following consultations with the Government, he had decided to request an extension of the mandate of UNOGBIS for an additional year, until 31 December 2006.

III. Economic and social aspects

14. The economic and financial situation in Guinea-Bissau remains grave. On 29 October 2005, a mission of the International Monetary Fund (IMF) was scheduled to begin its visit to discuss an economic and financial programme for 2006 under the IMF emergency post-conflict assistance policy, but the change of Government resulted in the cancellation of that mission and an indefinite postponement of the round table, with the Bretton Woods institutions indicating that they would want to be assured of the continuation of the economic reforms and transparency initiated under the previous Government before pledging assistance.

15. Meanwhile, financial measures undertaken by the outgoing Government allowed for the payment of wages from July to September 2005. However, the uncertainty over the timing of the disbursement of 2005 budgetary support and low revenue projections until the next cashew harvesting season in April-May 2006 make the build-up of further salary arrears, which are already rising, a worrying possibility.

16. The beginning of the new school year in October 2005 was delayed due to Government difficulties in meeting salary commitments. In November 2005, State schools remained closed, as teachers continued to demand payment of salary arrears. Meanwhile, the cost of living continues to rise, including price increases for essential goods and commodities.

17. The country has been grappling with a cholera epidemic since mid-June, with 22,000 cases and 374 deaths reported. Although the epidemic appears to have peaked, transmission rate among the vulnerable population remains high. Thus the World Health Organization (WHO), the United Nations Children's Fund (UNICEF) and the World Food Programme have provided assistance to the Ministry of Health in implementing preparedness and response measures. As nearly all the health structures in the country have been mobilized to fight the epidemic, to the detriment of other health-related needs, about $1.7 million is required to strengthen surveillance, treatment, public information and communication. In November 2005, WHO and UNICEF also launched a nationwide polio immunization campaign within the framework of their regional programmes.

IV. Military and security aspects

18. UNOGBIS continues to encourage and support national initiatives to undertake security sector reform. To that end, a security sector development advisory team from the United Kingdom of Great Britain and Northern Ireland visited Guinea-Bissau on a fact-finding mission from 10 to 13 October 2005 to examine how the authorities might be assisted in formulating a road map for a comprehensive and credible security sector reform programme. The team also included a military expert from the European Union.

19. The mission also assessed the level of understanding and commitment to security sector reform among key stakeholders as well as the capacity of national authorities to manage and deliver such reform. The initial findings, which have been shared with the Government, stressed the long-term nature of the proposed reform. They also warned against high expectation of short-term gains and a piecemeal approach, highlighting the need for a coordinated strategy to deal with the multiple problems. A follow-up mission is scheduled to take place in early 2006.

20. In view of the threat posed to the security of the country by the proliferation of small arms in Guinea-Bissau, a pilot programme on small arms collection and destruction, designed within the framework of the United Nations Coordinating Action on Small Arms mechanism, was elaborated in consultation with the former Government and was to have been launched in November 2005, but had to be postponed due to the change of Government to allow the new authorities to examine it.

21. There has been further progress in demining. A total of 4,943 stockpiled anti-personnel mines were destroyed at a ceremony organized by the National Mine Action Coordination Authority in October 2005, which completed the obligations of the country under article 4 of the Ottawa Convention on Landmines. From January to September 2005, the Coordination Authority, through its national partners, Humaid and Lutcam, demined 81,890 square metres and removed 26,706 unexploded ordnance, 23 anti-personnel mines and 3 anti-tank mines. The operations were made possible by funding from Canada, the European Union, Germany, the Netherlands, the United Kingdom and the United States of America.

22. There is growing concern over increased crime and insecurity, as demonstrated by the closure of Catholic schools, parishes and medical centres on 8 November 2005, demanding that the police fulfil their role in maintaining law and order. However, police operations continue to be hampered by inadequate resources. In particular, there is rising concern that Guinea-Bissau is increasingly being used as a transit point for drug trafficking between South America and Europe, as evidenced by the growing number of narcotics seizures. Efforts are underway to reschedule an assessment mission to Guinea-Bissau by the United Nations Office on Drugs and Crime to provide technical assistance to law enforcement officers, which was planned for November 2005 but was postponed due to the change in Government.

V. Human rights aspects

23. UNOGBIS has continued to promote the respect for rule of law and human rights. To facilitate more effective investigation and prosecution of civil and criminal cases, the Office has organized training for magistrates and law enforcement officers funded by the Office of the United Nations High Commissioner for Human Rights (OHCHR). UNOGBIS has also started a series of seminars for magistrates from the Office of the Attorney-General on the role and responsibility of the prosecutor.

24. In another initiative, UNOGBIS, working with the national programme to fight HIV/AIDS and the United Nations coordination expert on HIV/AIDS, has organized 34 training sessions for the armed forces and border guards. The objective of the human rights component of those sessions was to stress that prevention can only be effective in an environment where the rights of women and the right to non-discrimination of people living with HIV/AIDS are fully respected. UNOGBIS also continues to assist the national authorities in drafting national legislation on the prevention, treatment and control of HIV/AIDS.

VI. Observations and recommendations

25. With the swearing in of President Vieira on 1 October 2005, the country began to move away from the divisions of the past towards a more harmonious and constructive future. Regrettably, political tensions along personality and party lines have continued to cast a shadow on the prospects for stability in Guinea-Bissau. Unless overcome peacefully, this polarization could frustrate the country's post-electoral expectations for a more promising future. Indeed, the lingering political instability not only hampers further democratic progress, but also drives donors to

withhold the assistance the country urgently needs to meet its massive reconstruction and development challenges.

26. I am encouraged, however, that these differences are being addressed peacefully, through the proper constitutional channels, which is an important step forward in building a culture of respect for the rule of law. I call upon all the political actors and the society at large to respect the ruling of the Supreme Court, once it is rendered, on the case filed over the constitutionality of the President's recent Government changes. I also urge political leaders to strive for inclusive dialogue to resolve their differences, mindful of the population's desire to move forward in building a better life for themselves and for their country as a whole.

27. I wish to reiterate the importance of continued engagement by the international community to assist Guinea-Bissau. The support of the Security Council, the Economic and Social Council Ad Hoc Advisory Group on Guinea-Bissau and the international community as a whole was instrumental in bringing the transitional process to a peaceful and successful conclusion. Continued support, especially economic and financial assistance, is particularly important if the ongoing stabilization effort to consolidate peace and prevent violence is to succeed.

28. Such financial support is especially vital in the critical domain of security sector reform. Given the wide range of complex issues, coordination and a division of labour among donors are also essential to ensure the cost effective utilization of international assistance.

29. I encourage the new authorities to continue with the economic and political governance policies that have guided the country for the past two years so that preparations for the holding of the donor round table conference can be completed as soon as possible.

30. Finally, I would like to pay tribute to the staff of UNOGBIS, led by João Bernardo Honwana, my Representative in Guinea-Bissau, and to the entire United Nations country team for their constructive contribution towards the peaceful completion of the transitional process in Guinea-Bissau and the full return of constitutional order.